

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

AMANDA STONE,

Plaintiff,

Civil Action No. _____

v.

TAKHAR COLLECTION SERVICES, LTD.;
and
DOE 1-5,

Defendants.

COMPLAINT

(Jury Trial Demanded)

1. Plaintiff alleges violation of the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (“FDCPA”).

JURISDICTION AND VENUE

2. This Court exercises jurisdiction under 15 U.S.C. 1692k and 28 U.S.C. 1331. This District is of proper venue as Defendants are residents within this District and Defendants engaged in the activities alleged herein while so residing.

PARTIES

3. Plaintiff, AMANDA STONE (hereinafter “Ms. Stone” or “Plaintiff”), is a natural person residing in Houston, Texas. Defendant, TAKHAR COLLECTION SERVICES, LTD. (hereinafter “Defendant”) is a limited liability company believed to maintain its principle place of business at 1623 Military Road, Suite 537 in Niagara Falls, New York. Plaintiff is ignorant of the true names and capacities of the defendants sued herein as DOE 1-5, and therefore sues these defendants by such fictitious names. Plaintiff will amend this Complaint to allege the true names and capacities once ascertained. Plaintiff believes and thereon alleges that the fictitiously named defendants are responsible in some manner for the occurrences herein alleged, and that such defendants are responsible to Plaintiff for damages and/or monies owed. Defendants TAKHAR COLLECTION SERVICES, LTD. and DOE 1-5 shall be jointly referred to herein as “Defendants”.

4. Defendants regularly operate as third-party debt collectors and are “debt collectors” as defined in 15 U.S.C. 1692a.

FACTUAL ALLEGATIONS

5. In approximately September of 2011 Defendants began contacting Ms. Stone at her work telephone number in an attempt to collect a consumer debt (hereinafter “DEBT”) alleged owed by Ms. Stone.

6. Despite Ms. Stone having advised Defendants on several occasions of a prohibition on taking personal calls at her work number, Defendants continued to call her at work through December 7, 2011.

7. Ms. Stone, harassed and unable to terminate the calls to her work number, retained counsel with Robert Amador of Centennial Law Offices.

8. Mr. Amador attempted to contact Defendants by telephone on nine separate occasions. Defendants failed to answer the calls on each attempt. Defendants' voicemail system informed callers that Defendants' voicemail box was full. Finally on December 8, 2011 Mr. Amador was able to communicate with Defendant Takhar Collection Services, Ltd. to successfully terminate the calls.

CAUSES OF ACTION

COUNT I

9. Plaintiff re-alleges paragraphs 1 through 8, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants violated 15 U.S.C. 1692c(a)1 and 1692c(a)3 with regards to Plaintiff by continuing to call Plaintiff at her place of employment after being informed that such calls to Plaintiff's work number were prohibited.

COUNT II

10. Plaintiff re-alleges paragraphs 1 through 8, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants violated 15 U.S.C. 1692d by continuing to call Plaintiff at her place of employment after being informed that such calls to Plaintiff's work number were prohibited.

PRAYER FOR RELIEF

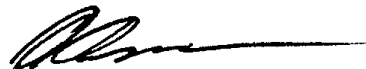
WHEREFORE, Plaintiff prays judgment against Defendant for recovery as follows:

- 1.) For statutory damages in the amount of \$1,000 pursuant to 15 U.S.C. 1692k(2);
- 2.) For actual damages of \$1,855.00 for legal costs in responding to unlawful collection activity.
- 3.) For prejudgment interest in an amount to be proved at time of trial;
- 4.) For attorney's fees pursuant to 15 U.S.C. 1692(k)
- 5.) For the costs of this lawsuit; and
- 6.) For any other and further relief that the court considers proper.

JURY DEMAND

Plaintiff demands a jury trial.

Date: November 28, 2012



ROBERT AMADOR, ESQ.
Attorney for Plaintiff Amanda Stone
Centennial Law Offices
9452 Telephone Rd. 156
Ventura, CA. 93004
(888)308-1119 ext. 11
R.Amador@centenniallawoffices.com